



## PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

**Agency:** Office of the Insurance Commissioner

**Subject of possible rule making:** Amending chapter 284-04 WAC Privacy of Consumer Financial and Health information by adding security breach notification requirements

Insurance Commissioner Matter No. R 2012-14

**Statutes authorizing the agency to adopt rules on this subject:** RCW 48.02.060, RCW 48.43.505, the Gramm-Leach Bliley Act, (Pub. L. 02-106 (1999), sec 501(b), sec. 505(B)(2) and the Health Information Technology for Economic and Clinical Health (HITECH) Act, (Pub. L. 111-5(2009), Section 13402)

**Reasons why rules on this subject may be needed and what they might accomplish:** The Commissioner will consider rules defining a security breach, specifying who receives security breach notifications and what information is required in the notification.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

Other than ensuring the rules are aligned with the federal standards, coordination with Health and Human Services (HHS) is not a requisite part of the proposed rule making.

**Process for developing new rule (check all that apply):**

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

☒ Other (describe) Submit written comments by: June 5, 2012

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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**DATE**  
May 2, 2012

**NAME (TYPE OR PRINT)**  
Mike Kreidler

**SIGNATURE**

**TITLE**  
Insurance Commissioner

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FILED

**DATE:** May 02, 2012

**TIME:** 7:46 AM

**WSR 12-10-081**